

## **Title 2 ADMINISTRATION AND PERSONNEL**

### **Chapter 2.1 ADMINISTRATIVE PROVISIONS GENERALLY**

#### **2.1.1 Office of Commissioner of Public Works an Appointive Office.**

The office of Commissioner of Public Works is an appointive position.

#### **2.1.2 Enforcement Powers of the Chief of Police.**

The Chief of Police is authorized to represent the Town in District Court in the prosecution of alleged violations of those ordinances that the police department is empowered to enforce, if duly certified in accordance with 25 M.R.S. §2803-A (8) or successor statute. The Chief of Police may designate any officer under command, if so certified, to perform this prosecutorial function.

### **Chapter 2.2 FIRE DEPARTMENT**

#### **2.2.1 Purpose.**

The purpose of this chapter is to recognize and establish the Kittery Fire Department as the municipal firefighting unit within the Town pursuant to 30-A M.R.S. §3151, and to vest the Fire Department with all the rights, responsibilities, and obligations of a municipal Fire Department as created under said statute.

#### **2.2.2 Establishment.**

The Fire Department is established as the organized firefighting unit for the Town for the principal purpose of preventing and extinguishing fires and related activities as provided by 30-A M.R.S. §3151.

#### **2.2.3 Fire Chief.**

The Fire Chief is the administrative head of the Fire Department and is responsible for the management of the department. The duties and scope of employment of the Fire Chief are as defined in the personnel code. The Fire Chief is appointed by and is directly accountable to the Town Manager. In addition, the Fire Chief is responsible for promulgating and enforcing rules, policies and regulations of the Fire Department. In addition to all other duties and responsibilities, the Fire Chief prepares the annual budget in a manner and form as the manager deems desirable or the council requires consistent with the Town charter.

#### **2.2.4 Pending Matters.**

All rights, claims, actions, contracts, mutual aid agreements and other legal or administrative proceedings taken by or affecting the Fire Department in its said capacity and all Town ordinances, resolutions, orders and regulations adopted by the Town and the policies, rules and regulations of Fire Department remain in full force and effect and are adopted, ratified and become incorporated into and binding on the Fire Department as herein established as if the same were repeated and fully set forth and incorporated by reference herein. In addition, the Fire Department has all rights, obligations and legal authority consistent with the Town charter and state statutes.

### **2.2.5 Election of Fire Department Officers.**

Each district of the Fire Department has subordinate officers consisting of a Deputy Chief, one or more Captains and one or more Lieutenants and they are to be elected or reelected for one-year terms in the following manner:

A. A nominating committee from each district is to propose one or more candidates for each office from among those firefighters who have met the officer candidate qualifications established by each district.

B. The list of candidates is to be submitted to the Town Manager via the Fire Chief. Within ten (10) days after the list is submitted to the Fire Chief, either the Fire Chief or the Town Manager may reject any candidate for cause relating to previous performance or other serious problems. Candidates who are rejected are to be given a reason in writing for the rejection and are entitled to request a hearing before a board consisting of the Town Manager, the Fire Chief and the nominating committee to be held within ten (10) days of rejection. The decision of the Town Manager after such a hearing is final.

C. The election is held in the month of December on a date determined by the members of each district and the candidates with the most votes for each office are officially appointed to office by the Fire Chief.

## **Chapter 2.3 PERSONNEL SYSTEM GENERALLY**

### **2.3.1 Definition of Terms.**

As used in this chapter, unless the context otherwise indicates, the following terms have the meanings indicated in this section:

**Domestic partner** means one of two unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

**Registered domestic partners** means domestic partners who are registered in accordance with 22 M.R.S. §2710, or any successor statute.

### **2.3.2 General Provisions.**

It is the declared policy of the Town that:

A. Employment in the Town government is based on merit and fitness, free of personal and political considerations;

B. Just and equitable incentives and conditions of employment are established and maintained to promote efficiency and economy in the operation of the Town government,

C. Positions having similar duties and responsibilities are classified and compensated on a uniform basis;

D. Appointments, promotions and other actions requiring the application of merit are based on qualifications and performance. Seniority is considered when all other factors are deemed to be equal;

E. High morale is maintained by fair administration of this chapter and by every consideration of the rights and interests of employees consistent with the best interests of the public and the Town; and

F. Tenure of employees covered by this chapter is subject to good behavior, the satisfactory performance of work, necessity for the performance of work, and the availability of funds.

### **2.3.3 Scope and Coverage.**

A. The provisions of the personnel classification and compensation plan apply to all positions in the Town except as follows:

1. All elected officials and members of boards and commissions;
2. Employees under the control of the school committee;
3. Volunteer personnel and personnel appointed to serve without pay/salary, including those personnel who are merely reimbursed for out-of-pocket expenses associated with the performance of their responsibilities. This exception does not apply to department heads and other employees with significant supervisory responsibility whose positions require significant independence in the completion of their work;
4. Consultants and counsel rendering temporary professional services;
5. Positions which involve seasonal or part-time employment. Seasonal employment is defined as employment that does not continue for at least one continuous calendar year (three hundred sixty-five (365) days), and part-time employment is defined as employment consisting of less than thirty (30) hours of work per week, regardless of the length of employment;
6. Employees under separate union contracts, except that the provisions of this section apply to those areas not covered by union contract;
7. Management employees with separate employment agreements.

B. Nothing herein, however, prohibits reference to this plan for assistance in determining the compensation and benefits of Town employees not covered by the plan.

### **2.3.4 Administration.**

The personnel program established by this chapter is to be administered by the Town Manager. The Town Manager shall:

- A. Attend meetings of the personnel board when requested;
- B. Administer all the provisions of this chapter and of the personnel rules;
- C. Prepare and recommend to the Town Council revisions and amendments to the personnel rules;
- D. Prepare such personnel reports and provide such personnel information as is directed by the personnel board.

**2.3.5 Personnel Rules - Promulgation, Adoption, Force and Effect, Amendment.**

The Town Manager is to draft such rules as may be necessary to carry out the provisions of this chapter. These rules must be submitted for adoption by ordinance of the Town Council. These rules have the force and effect of law; except that it is clearly understood that these rules are subordinate to and may not conflict with the provisions of the Town Charter and state law. Amendments of the rules are made in accordance with the same procedure.

**2.3.6 Classification Plan - Maintenance.**

The Town Manager is responsible for the proper and continued maintenance of the classification plan so that it will always reflect the duties being performed by each employee in the Town service and the class to which each position is allocated. Revisions of class specifications and reallocation of positions within the approved classification plan are made as follows:

- A. The Town Manager, charged with the responsibility for maintaining the plan, shall study the duties and responsibilities of each new position. The manager may make a recommendation to the Town Council as to the desirability of creating the new position, and, if the position is created, shall place the position in the appropriate class within the classification plan or if there is not an appropriate class, create a new one for the position.
- B. Department heads are to report changes in the duties and responsibilities of a position to the Town Manager. After forwarding recommendation for approval or denial of such changes to the Town Council, and, if the changes accepted are permanent and of such a nature as to require it, the Town Manager is to reallocate the position to the appropriate class.
- C. A department head, or an employee through the department head, may request the Town Manager to review the duties of any position.
- D. The Town Manager shall review the classification plan periodically, and, upon the basis of that review, may recommend that classes be combined or abolished or that new classes be established.
- E. The classification of positions within the Town service are governed by the provisions of the personnel position-classification plan as specified in Chapter 2.4.

**2.3.7 Pay Plan - Maintenance.**

- A. The Town Manager is responsible for the proper and continued maintenance of the pay plan and may review the pay plan or parts of it at any time but must review the overall pay plan at least once a year. The range for each class must be such as to reflect the differences in duties and responsibilities and must be related to compensation for comparable positions in other places of public and private employment.
- B. The Town Manager shall submit the pay plan and the rules for its administration to the council for adoption. Any amendments made by the council must apply uniformly to all positions within the same class.

C. Each department head must include in the proposed budget for the department a pay adjustment section to provide funds for anticipated pay adjustments during the ensuing year, expenditures to be made therefrom only in accordance with the pay plan.

D. Procedures for the setting of rates of compensation within the Town service are governed by the provisions of the pay plan as specified in Chapter 2.5.

### **2.3.8 Appointments and Promotions.**

A. Appointments to the Town service may be provided for by rule as set forth under Section 2.3.5.

B. Vacancies in positions above the entrance level are filled by promotion whenever, in the judgment of the Town Manager, it is in the best interests of the Town to do so. Promotions must give appropriate consideration to the applicant's qualifications, record of performance, and seniority (see Section 2.3.2 D).

C. In the event an appointment or promotion is on an "acting" basis, it must not be for a period of more than ninety (90) days unless serious extenuating circumstances dictate otherwise, in which case the Town Manager may extend an "acting" promotion or appointment for additional periods up to ninety (90) days.

### **2.3.9 Probation.**

A. Employees subject to the provisions of the personnel position-classification and pay plan, at the time of their original appointment, are subject to a period of probation. The regular period of probation is six months for most employees, but is twelve (12) months for the following job classes: chief of police; commissioner of public works; Town Clerk; superintendent of sewer services; Fire Chief; and other employees under separate employment agreement or collective bargaining agreement where said agreements specify a twelve (12) month probationary period. No probationary period may extend beyond twelve (12) months.

B. The work and conduct of probationary employees is subject to close scrutiny and evaluation, and if found to be below standards satisfactory to the appointing authority, the appointing authority may remove or demote the probationer at any time during the probationary period. Such removals or demotions are not subject to review or appeal.

C. An employee may be retained beyond the end of the probationary period only if the Town Manager affirms by written evaluation of the employee that the services have been found to be satisfactory. The employee is to be given a copy of the evaluation.

### **2.3.10 Absences - Hours of Work.**

Rules are to be adopted prescribing hours of work and the conditions and lengths of time for which leaves of absence without pay may be granted. These rules cover, among others, vacations, sick leaves, longevity, overtime, paid holidays, bereavement pay and jury duty.

### **2.3.11 Training.**

The Town Manager is to encourage the improvement of service by encouraging employees to attend training schools and sessions, which need not be limited to training for specific jobs but may include training for advancement and for general fitness for public service.

### **2.3.12 Separations.**

A. When in the judgment of the Town Manager an employee's work performance justifies disciplinary action short of dismissal, the employee may be suspended without pay. A suspended employee may not request a hearing before the personnel board unless the suspension is for more than five working days, or unless the employee has already received a previous suspension within the six months immediately prior thereto. The Human Resources Manager and the personnel board must be notified of any actions under this section.

B. A permanent employee may be dismissed or demoted whenever in the judgment of the Town Manager the employee's work or misconduct so warrants. The Town Manager, when taking such action, shall file with the employee and the Human Resources Manager and the personnel board a written notification containing a statement of the substantial reasons for the action. The employee must be notified no later than the effective date of the action. The notice must inform the employee that he or she is allowed five working days from the effective date of the action to file a written reply with the Town Manager and the Human Resources Manager and the personnel board, and to request in writing a hearing before the personnel board.

C. If the employee files a written reply and requests a hearing within the prescribed period, the personnel board must meet within five working days to set a hearing date. The hearing may be private or open to the public at the discretion of the employee.

D. The Human Resources Manager is the hearing official, but is not a member of the board. The Chairperson will preside over the meeting. In conducting a hearing, the proceedings are informal and it is assumed that the action complained of was taken in good faith, unless proved otherwise.

E. Upon completion of the hearing, the personnel board must issue its written advisory opinion to the Town Manager and to the employee within thirty (30) days.

F. An employee may resign by notification to the Town Manager.

Note: An employee resigning in good standing may be reinstated within two years after the date of resignation.

G. Grievance Procedure. The term "grievance" includes any dispute concerning the application or interpretation of any of the provisions of this chapter or Charter of the Town.

1. An employee, believing a reason for grievance exists, must first reduce the problem to writing and discuss the matter with the department head within forty-eight (48) hours of noting the grievance. Within five working days the department head must render a written decision.

2. If the grievant is not satisfied with the decision, the grievant may request in writing a meeting with the Town Manager and present the claim in writing, with a statement that the grievance is or is not a result of discrimination. Alleged discrimination practices are not covered under this grievance procedure, but are processed in accordance with applicable laws of the State of Maine.

3. The Town Manager shall, within two working days after the receipt of the written grievance, meet with the grievant, and the grievant's representative, if there is one, to discuss possible resolution. The Town Manager will render a decision in writing to the aggrieved employee with a copy to the representative within five working days after said meeting.

4. If the grievant is not satisfied with the decision, the grievant may within five working days forward the grievance in writing to the Human Resources Manager who will then forward the request to the personnel board. The personnel board shall within five working days after receipt of the written grievance meet with the grievant and grievant's representative if there is one, the Town Manager, the Human Resources Manager, the appropriate department head and/or supervisor, and others as deemed appropriate. An advisory decision in writing to all parties will be given within ten (10) days after said meeting.

#### **2.3.13 Hearings.**

A. During the course of any hearing, the Human Resources Manager and the personnel board may request any employee of the Town to attend and give witness.

B. The Town must provide a secretary to record proceedings of an official hearing upon request. A transcript of the hearing must be furnished to the Town Manager, the Human Resources Manager and the members of the personnel board and to the employee concerned.

C. An employee requesting a hearing under Section 2.3.12 B must notify the Human Resources Manager and the personnel board in writing of the employee's desire to have a representative in attendance during the hearing.

#### **2.3.14 Tenure and Reduction in Force.**

A. The tenure of every employee is conditioned on good behavior and the satisfactory performance of duties. Any employee may be temporarily separated by layoff or suspension; or permanently separated by resignation or dismissal.

B. Whenever there is lack of work or lack of funds requiring reductions in the number of employees in a department or division of the Town government, the required reduction must be made in such job class or classes as the Town Manager and the department head may designate, provided, that employees must be laid off in the inverse order of their relative length of service. Within each affected job class, all temporary employees must be laid off before any permanent employees.

#### **2.3.15 Records.**

##### **2.3.15.1 Maintenance.**

The Town Manager shall maintain adequate records of the proceedings of the personnel board, and of the Town Manager's own official acts, the employment record of every employee, and where appropriate, the examination record of every candidate for employment.

**2.3.15.2 Duty of Department Heads to Furnish Information.**

Department heads must furnish such information as may be requested for this purpose.

**2.3.15.3 Availability.**

Such records as relate to employee compensation and fringe benefits must be maintained by the Town Manager and be made available at the request of the Human Resources Manager and the personnel board for matters specifically relating to grievances, separation, demotion or suspensions. The Town Manager shall also bring to the attention of the Human Resources Manager and the personnel board any deviations in employee compensation, fringe benefits, and like matters as may be noted by the Town Manager.

**2.3.15.4 Human Resources Manager**

The Human Resources Manager is defined as a shared position located within the School Department.

**2.3.16 General Prohibitions.**

**2.3.16.1 Politics - Political Activity.**

Employees covered by the provisions of the position-classification and pay plan are selected without regard to political considerations, may not be required to contribute to any political purpose, and may not engage in improper political activity. The rules define the scope of improper political activity.

**2.3.16.2 Discrimination.**

There is no discrimination against any person seeking employment or employed under the provisions of the position-classification and pay plan because of race, gender, marital status, age, nationality, handicap, sexual orientation, political or religious opinions or affiliation.

**2.3.16.3 Harassment.**

It is the policy of the Town that all employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions but also to actions between co-workers. Any complaints of harassment will be investigated promptly. There will be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.

**2.3.16.3.1 Sexual Harassment.**

A. Sexual harassment is the attempt to control, influence or affect the career, salary or job of an individual in exchange for sexual favors. Sexual harassment can also be conduct which creates a hostile or offensive work environment or unreasonably interferes with a person's ability to perform their job. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person and in any form.



B. Specific conduct which is prohibited includes, but is not limited to:

1. Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties or any other condition of employment;
2. Unwelcome sexual flirtations, advances or propositions;
3. Verbal or written abuse of a sexual nature;
4. Graphic verbal comments about an individual's body;
5. Sexually degrading words used to describe an individual; and
6. The display in the workplace of sexually suggestive objects or pictures.

C. Employees who believe that they have been the subject of sexual harassment should report the alleged act to their immediate supervisor or other appropriate management.

D. Any supervisor or employee who is found after appropriate investigation to have engaged in sexual harassment will be subject to discipline, including discharge.

#### **2.3.16.3.2 Verbal Harassment.**

Derogatory or vulgar comments regarding a person's gender, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic material having such an effect, are prohibited. Any employee who believes he or she has been the subject of such harassment should report the alleged conduct to the personnel director or other appropriate management. Any supervisor or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

#### **2.3.17 Basic workweek-Fringe benefits.**

##### **2.3.17.1 Basic Workweek.**

- A. The basic workweek for all employees is no more than forty (40) hours.
- B. Employees covered by the Fair Labor Standards Act required to work in excess of forty (40) hours per week are compensated at one and one-half times the individual's rate of pay.
- C. All overtime work must be authorized by the Town Manager.
- D. Any employee called back to work is guaranteed at least two hours pay.

##### **2.3.17.2 Vacation Plan.**

A. Vacation leave accrues as follows:

1. Employees who have completed six months of currently continuous service, but less than one year, receive five days of annual vacation leave.
2. Employees who have completed one year of currently continuous service, but less than five years, receive ten (10) days of annual vacation leave.

3. Employees who have completed five years of currently continuous service, but less than ten (10) years, receive fifteen (15) days of annual vacation leave.
  4. Employees who have completed ten (10) years of currently continuous service but less than twenty (20) years receive twenty (20) days of annual vacation leave.
  5. Employees who have completed twenty (20) years or more of currently continuous service receive twenty-five (25) days of annual vacation leave.
- B. Town employees do not receive extra pay in lieu of utilizing vacation leave.
- C. The vacation calendar for all Town employees is January 1st to December 31st. A maximum of five vacation days may be saved from one year to the next.
- D. Time absent from the job will be charged to annual leave, sick leave if sick, or leave without pay.
- E. In the event that an employee dies, accrued vacation credits, if any, are paid by the Town, in equivalent wages to the employee's estate.
- F. In the event of the dismissal of an employee for cause, or if an employee voluntarily leaves, or retires from employment, the employee is entitled to vacation pay for all unused vacation earned.

#### **2.3.17.3 Bereavement Leave.**

- A. Five days with pay, per year, for a death within the immediate family. (Immediate family means spouse, domestic partner, children, parents, step-parents, step children, brother, sister, mother-in-law and father-in-law.)
- B. For other relatives, up to three days may be allowed. This is not automatic, but is at the department head or Town Manager's discretion.
- C. An employee wishing to utilize bereavement leave must notify the department head or the Town Manager in person, by writing, e-mail or phone call and said request must indicate the number of days requested and the reason for said request.

#### **2.3.17.4 Sick Leave. (FMLA)**

- A. Sick leave is accumulated at the rate of one day per month to a maximum of one hundred fifty (150) days; the accumulation may be applied to retirement, as permitted by the Maine State Retirement System. The remaining days will be given as early retirement. At the end of the calendar year (December 31st), all sick leave over one hundred fifty (150) days will be given back and the Town will pay fifty percent (50%) of the face value, at the employee's normal rate of pay for the days that were given back.
- B. Employees who retire or resign from the Town (after a minimum of ten (10) years of continuous service) and who have accrued vacation and/or sick leave time to their credit at the time of such resignation or retirement will be paid the wages equivalent to the vacation and/or sick leave. Sick leave payment is made only when separation is in good standing.
- C. Qualified employees are eligible for paid sick leave from, and to the extent of their unused, accumulated, paid sick leave credits in the following situations:
1. When it is established to the Town's satisfaction that the employee is incapacitated and cannot safely perform the employee's duties due to sickness, pregnancy or injury;

2. When it is established that, due to exposure to a contagious disease, the health of others would be affected by attendance at work. A physician's statement recommending absence from work is required;
3. When it is established that an illness exists in the immediate family of the employee, and then for such periods as the attendance of the employee is necessary. The term "immediate family" is defined as including spouse, domestic partner, children, grandchildren, parents, mother-in-law, father-in-law, domiciled with the employee. In addition, immediate family includes other relatives domiciled with the employee;
4. Employees will be allowed to utilize up to forty (40) hours of sick time to care for their spouse, parents or children who are not domiciled with the employee.

D. If an employee is absent for more than three consecutive days, the Town may require medical proof for the sick leave, in which case the employee involved may be required to provide a written statement from the employee's physician, or the attending physician of the immediate family member, certifying the necessity for the absence, and the ability of the employee to return to work and perform the required functions of the employee's duties. Should the Town require a medical statement, the Town pays the portion of the cost for the visit which is not covered by medical insurance.

E. An employee is considered to have earned six days sick leave at the completion of a six-month work status.

F. The Town Manager may authorize advance sick leave, not to exceed twelve (12) days.

G. Any further advance of sick leave is granted only with Town Council approval.

H. In the event of death of an employee with more than ten (10) years of service, the Town is to pay to the designated beneficiary one hundred percent (100%) of the employee's accumulated sick leave.

#### **2.3.17.5 Legal Holidays.**

A. Town employees are entitled to twelve (12) legal holidays. The twelve (12) holidays are New Year's Day, Martin Luther King Day, Washington's Birthday, Patriot's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day and Personal Day.

B. If an observed holiday occurs during the work week in which an employee is actually on a scheduled vacation, the employee will not be charged with a vacation day for the observed holiday; an extra day may be added for the vacation.

C. Any holiday falling on a Saturday will be observed on the preceding Friday, and any holiday falling on a Sunday is observed on the following Monday.

D. The personnel board does not concur with granting time off before a holiday without the use of annual leave, with the expectation of half a day before Christmas and New Year's. The Town Manager may grant a half day off before Christmas and New Year's Day.

#### **2.3.17.6 Longevity.**

A. Longevity pay is computed at the schedule below agreed to by the employees and the Town:

1. Two percent (2%) after four (4) years of service;
2. Four percent (4%) after eight (8) years of service;

3. Six percent (6%) after twelve (12) years of service;
4. Eight percent (8%) after sixteen (16) years of service;
5. Ten percent (10%) after twenty (20) years of service;
6. Twelve percent (12%) after twenty-four (24) years of service; and
7. Fourteen percent (14%) after twenty-eight (28) years of service for non-union employees.

B. After completing the required years of continuous service, an employee's longevity payment is computed annually on the employee's anniversary date, and the computation is based upon the annual base salary. If an employee receives a salary increase in base salary, longevity is computed using the new annual base salary.

#### **2.3.17.7 Health Insurance.**

- A. This benefit is optional.
- B. The cost of this plan is shared.

1. The Town contributes eighty percent (80%) of the total premium for family, two-person or single-person coverage per month. The employee contributes the remaining twenty percent (20%) each month through weekly payroll deductions.

2. The Town will pay the monthly health and dental insurance premiums for the single person level of coverage for any unit member from the Town after having worked for the Town for a minimum of fifteen (15) years and having met the age and/or years of service requirement contained in the MSRS policy currently in effect for that particular employee (effective July 1, 2003). Should the retiree choose to elevate the health and dental insurance coverage level to a two-person coverage plan or family coverage plan, the retiree will be responsible for any additional premiums owed to the insurance provider. The additional payments are to be made to the Town on a monthly basis.

3. The Town will forward all required payments to the insurance carrier on behalf of the retiree. Upon reaching the age of eligibility for Medicare, the employee's health insurance plan will be converted to the Maine Municipal Employees Health Trust Retiree Plan as structured as of November 14, 2007, also paid for by the Town.

4. In the event that it becomes necessary to change insurance providers, the Town will ensure that there is no lapse of coverage for the retiree, and that the new coverage level will be comparable to the existing level of coverage. Any additional premiums required for spousal conversion to a companion plan are the responsibility of the retiree.

#### **2.3.17.8 Dental Insurance.**

- A. The Town provides Northeast Delta Dental Insurance, Plan IV with orthodontic rider, for each employee.
- B. Inclusion of an employee's family members in this plan is optional based upon the decision of the employee.

C. The Town pays eighty percent (80%) of the monthly premium for this coverage and the employee pays twenty percent (20%) of the monthly premium.

**2.3.17.9 Worker's Compensation.**

The Town provides worker's compensation coverage as required by state statute. The Town agrees to pay its share, plus the employee's share, of Maine State Retirement for as long as the disability lasts. Absences due to such injuries are not charged to accumulated sick leave. (FMLA)

**2.3.17.10 Disability/Life/Accidental Death and Dismemberment Insurance.**

Disability, life and accidental death and dismemberment insurance is provided by the Town for full-time employees. The Town assumes the cost for all full-time employees. Primarily, the plan will provide for fifty-two (52) weeks of benefits commencing on the thirty-first (31st) day following an accident or sickness. The Maine Municipal Life insurance benefit equals the employee's annual salary rounded to the next highest one thousand dollars (\$1,000.00).

**2.3.17.11 Section 125.**

The Town agrees to provide the employees with the opportunity to participate in a Section 125 account for the employee-paid portion of the insurance programs.

**2.3.17.12 Physicals.**

A physician's examination certificate may be required for new employees with the cost of examination to be paid by the Town.

**2.3.17.13 Jury Pay.**

When an employee is called to jury duty, the employee receives regular pay, but must turn over jury duty fee to the Town, excluding travel pay.

**2.3.17.14 Retirement.**

A. Employees are entitled to participate in the Maine State Retirement System in accordance with the requirements of the Maine State Retirement System.

B. Participation in the Maine State Retirement System is voluntary on the part of each eligible employee.

C. Employees currently participating in MSRS may on a voluntary basis participate in the ICMA-RC in accordance with the Administrative Sections 2.6.160(O)(I) and (2).

**2.3.17.15 Deferred Compensation Plan.**

A. The Town is to provide for participation by employees in the International City Management Association's deferred compensation plan, and provide the vehicle by which employees can have deductions made from their wages on a regular basis and submitted for investment.

B. Employee's participation in this plan is voluntary. There is no employer match for voluntary participation in the ICMA plan.

C. Effective July 1, 2001, the Town agrees to expand the coverage of the ICMA-RC 457 plan currently in effect. This plan will be available for current employees who are not enrolled in the Maine State Retirement System and any newly-hired employee who wishes to enroll in the ICMA

plan instead of the MSRS plan. The Town will match the employee's contribution into the 457 plan, up to a maximum Town contribution of six percent. The Town will make a contribution to either MSRS or the ICMA plan, but not both.

**2.3.17.16 Social Security.**

The Town agrees to pay its required Social Security premiums in accordance with provisions of the agreement between State Agency and Political Subdivision of the state of Maine for the purpose of extending Social Security benefits to the employee of such Political Subdivision and its subsequent amendments which agreement was entered into between the Maine State Retirement System and the Town in 1952.

**2.3.17.18 Mileage.**

The Town agrees to reimburse, with supervisory approval, employees furnishing their own vehicles for transportation directly related to their work at the current mileage reimbursement rate established by the IRS. To be eligible for such payments, employees must use their personal vehicle while on the job.

**2.3.17.19 Direct Deposit.**

The Town continues the current practice in effect July 1, 1997 regarding direct deposit to credit unions and other approved financial institutions.

**2.3.17.20 Use of Facilities.**

The Town is to provide employees with one free annual pass to Fort Foster.

## **Chapter 2.4 PERSONNEL POSITIONS ESTABLISHED**

### **Article I. Administration**

#### **2.4.1.1 Town Manager.**

The purpose of this position is to direct and manage all day-to-day activities in regard to the implementation and supervision of policies and procedures for the Town. This position reports to the Town Council. Duties include, but are not limited to: supervising staff; directing activities; appointing and prescribing duties; attending meetings; preparing and submitting budgets and reports; and performing additional tasks as assigned by the Town Council.

#### **2.4.1.2 Town Clerk/Registrar of Voters.**

The purpose of this position is to supervise clerical staff and to provide administrative and secretarial support to the Town Manager. This position reports to the Town Manager. Duties include, but are not limited to: supervising staff; directing and administering activities; maintaining records and files; managing, preserving and providing access to municipal records; preparing reports; notarizing documents; preparing worker's compensation and property and casualty insurance claims; approving invoices; attending regular council meetings and performing additional tasks as assigned by the Town Manager, or as directed by statute.

#### **2.4.1.3 Deputy Town Clerk / General Assistance Administrator.**

The purpose of this position is to provide administrative support to the citizens of the Town. This position reports to the Town Clerk. Duties include, but are not limited to: providing assistance to the public; filling in for the Town Clerk as necessary, maintaining books; completing reports; performing administrative tasks; and performing additional tasks as assigned by the Town Clerk.

#### **2.4.1.4 Assistant Town Clerk.**

The purpose of this position is to greet and assist citizens of the Town in regard to official administrative functions. This position reports to the Town Clerk. Duties include, but are not limited to: preparing vehicle registrations; collecting taxes; preparing licenses; assisting the Town Clerk and Deputy Town Clerk at the counter; and performing additional tasks as assigned by the Town Clerk.

#### **2.4.1.5 Deputy Treasurer.**

The purpose of this position is to provide treasury services for the Town. Duties include, but are not limited to: supervising the position of accountant bookkeeper, and payroll clerk; assisting with budget preparation, preparing department expense reports, reconciling bank accounts, monitoring and transferring funds in the main operating account and reserve/dedicated accounts, monitoring bank cash flow balances, and performing additional tasks as assigned by the Town Manager/ and Business Manager.

#### **2.4.1.6 Accountant.**

The purpose of this position is to provide accounting support to the Business Manager and Deputy Treasurer of the Town of Kittery. The Accountant has access to department and town-wide confidential information. Work involves technical and practical activities in the preparation and

maintenance of a variety of financial records and reports, and is performed under the direct supervision of the Deputy Treasurer.

#### **2.4.1.7 Administrative Clerk.**

The purpose of this position is to greet and assist citizens of the town of Kittery in regard to official administrative functions. Duties include, but are not limited to: preparing vehicle registrations; collecting taxes; assisting at the counter; preparing licenses; and performing additional tasks as assigned by the Town Clerk.

#### **2.4.1.8 Secretary to the Town Manager.**

The purpose of this position is to provide secretarial and administrative support to the Town Manager and Town Clerk. This position reports to the Town Manager. Duties include, but are not limited to: transcribing dictation; typing memorandums; assisting with agenda preparation and distribution; and performing additional tasks as assigned by the Town Manager. This position requires considerable discretion as many areas of work must remain confidential.

#### **2.4.1.9 Finance Director.**

The purpose of this position is to direct and coordinate the financial, accounting, and administrative activities of the Town, to obtain optimum efficiency and economy of operations and maximize the financial soundness and integrity of the Town by performing the following duties personally or through subordinate supervisors.

#### **2.4.1.10 Shoreland/Environmental Resource Officer**

Purpose of the position: The shoreland/environmental resource officer position is responsible for assisting Public Works, Sewer and Code Enforcement Departments in meeting the various requirements of Local/State/Federal laws and educating the citizens, students, visitors and businesses on a range of environmental topics relating to eliminating all discharges to air, land or water that are a threat to our current and future generations of Kittery. This position reports to the Town Manager.

#### **2.4.1.11 Harbormaster**

Purpose of Position: The purpose of this position is to oversee and direct all day-to-day activities of the Town-owned marine facilities, and to patrol waters under the jurisdiction of the Kittery Port Authority. This position is directed by the Chairperson of the Kittery Port Authority or designee and operates under the general oversight of the Kittery Town Manager. Duties include, but are not limited to: management of the operating budget; supervision of staff; collection of various fees; ensuring compliance with all federal, state, and local ordinances applicable to the harbor, and KPA rules and regulations; permitting and placement of moorings, preparation and submission of reports; maintenance of various data bases and websites; attendance at meetings; and performance of additional tasks as directed by the Kittery Port Authority.

#### **2.4.1.12: Human Resources Generalist**

Purpose of Position: The purpose of this position is to administer the human resources functions associated with all phases of the employment lifecycle. This position reports to the Finance Director. Duties include but are not limited to: assist departments with hiring processes; onboard new employees; administer employee benefits; ensure the Town is compliant with federal, state, and local



employment-related reporting and documentation; advise or assist employees with access to benefits; maintain personnel records; coordinate with payroll to ensure personnel changes are reported and processed properly; assist departments and employees with termination processes; and perform additional tasks as directed by the Finance Director.

## **Article II. Planning Department**

### **2.4.2.1 Planner.**

The purpose of this position is to perform all municipal planning and economic development functions and provide staff services to the planning board for the Town. This position reports to the Town Manager. Duties include, but are not limited to: maintaining, updating, and implementing a growth management program; reviewing development proposals for compliance with Town ordinances; guiding economic development and other programs; developing amendments to the zoning and subdivision ordinances; interpreting ordinances; preparing budgets; supervising employees reporting to the Town Planner, and performing additional related tasks as assigned by the Town Manager.

### **2.4.2.2 Development Staff Assistant / Assistant Code Enforcement Officer / Plumbing Inspector.**

The purpose of this position is to provide administrative and professional support to the code enforcing, Town planning and assessing departments of the Town. This position reports to the planner. Duties include, but are not limited to: processing form applications for the code and planning offices; field and site inspections for the code, assessing and planning departments; preparing and processing reports; supervising staff; assisting the public; word processing and data entry services, and performing additional tasks as assigned by the code enforcement officer, planner and tax assessor.

### **2.4.2.3 Development Staff Clerk.**

The purpose of this position is to provide administrative and professional support to the development staff of the Town. This position reports to the development staff assistant. Duties include, but are not limited to: updating computer systems; assisting the public; performing word processing services; and performing additional tasks as assigned by the development staff assistant.

### **2.4.2.4 Assistant Town Planner.**

The purposes of this position are to assist the Town Planner in performing municipal planning functions and provide staff services to the Planning Board for the Town. This position reports to the Town Planner. Duties include, but are not limited to: maintaining, updating, and implementing a comprehensive plan; reviewing development proposals for compliance with town ordinances; developing amendments to the land-use/zoning, subdivision, and related development ordinances; interpreting ordinances; managing and maintaining the Town's geographic information system (GIS) data; preparing zoning maps and providing mapping services for the Office of Planning and Development or other municipal departments as assigned; performing additional related tasks as assigned by the Town Planner.

#### **2.4.2.5 Code Enforcement Officer.**

The purpose of this position is to enforce local, state, and federal laws and codes relating to the protection of public health, welfare, and land use. This position reports to the Town Planner. Duties include, but are not limited to: conducting the permitting process; responding to and performing additional tasks as assigned by the Town Planner.

##### **2.4.2.5.1 Building Official.**

Person holding this position is responsible for certification of occupancy for buildings subject to the Maine Uniform Building and Energy Code (MUBEC). The position is established as provided in 25 MRS Section 2351-A. Appointment to the position is made by the municipal officers.

##### **2.4.2.5.2 Deputy Building Official.**

This position entails the same duties as those of the building official and is activated upon incapacity of the building official. Appointment is governed by 25 MRS Section 2351-A or successor statute.

#### **2.4.2.6 Building Inspector.**

This is responsible technical work in performing building inspections and in securing compliance with the Town's code and zoning ordinances. Employee is responsible for performing on-site inspections of buildings to ensure adherence to the various building codes and Town and state ordinances and laws. Work involves the inspection of buildings, the issuance of various permits, preparation of regular reports and providing assistance to the public in interpreting the building regulations. Work is performed with independence under the general supervision of the code enforcement officer and subject to review and evaluation through reports submitted and observation.

### **Article III. Assessing**

#### **2.4.3.1 Assessor.**

The purpose of this position is to supervise and manage the day-to-day activities of the assessing department. This position reports to the Town Manager. Duties include, but are not limited to: supervising staff; delegating work; reviewing all values of property; ensuring all property is maintained at fair market value; measuring and listing all properties; preparing and processing reports; and performing additional tasks as assigned by the Town Manager.

### **Article IV. Recreation Department**

#### **2.4.4.1 Recreation Director/General Manager.**

The purpose of this position is to manage supervise and direct the day to day operations of the Kittery Community Center and Recreation Department in the Town of Kittery. In addition this person will serve as the general manager of the KCC and will manage the Frisbee Annex as well as the Cole Street facility. This position reports to the Town Manager. Duties include, but are not limited to: development and implementation of recreation department policy, adheres to KCC policies implemented by the BOD, purchasing, maintaining records and files, supervising staff;

directing activities; preparing budgets; scheduling building maintenance and repairs; maintaining records; and performing additional tasks as assigned by the Town Manager.

#### **2.4.4.2 Secretary / Bookkeeper.**

The purpose of this position is to provide administrative, secretarial, and bookkeeping support for the recreation department of the Town. This position reports to the recreation director. Duties include, but are not limited to: accounting of all revenue/receipts/deposits: Active Net registrations and reports; providing customer relations; registering participants; tracking payments; processing mail; and performing additional tasks as assigned by the recreation director.

#### **2.4.4.3 Assistant Recreation Director/Assistant General Manager.**

The purpose of this position is to assist the recreation director/general manager in coordinating recreational activities and programming for Kittery Recreation as well as the Kittery Community Center. This position exercises independent, professional judgment and initiative in implementing and administering the policies of the Recreation Department. The position also direct the work of the department in accordance with applicable laws under the direction of the Director/General Manager. This person is responsible for the Active Net recreation registration program and all of the added components that includes, but is not limited to scheduling, payments, bookkeeping, POS, etc. This position also is in charge of training all necessary staff on the Active Net system. This position is the direct supervisor for Receptionists and the Sports Coordinator. Responsible for scheduling and planning special events for the entire department activities and scheduling those of the Kittery Community Center. Scheduling of the facility includes, but is not limited to theatre events; weddings; memorials; kitchen usage; Fort Foster Pavilions; fields; gym usage; etc. Other duties may be required and assigned by the Recreation Director/General Manager. This position reports to the Recreation Director/General Manager

#### **2.4.4.4 Safe Alternatives for Enrichment (S.A.F.E.) Coordinator.**

The purpose of this position is to coordinate, direct, and supervise the after school program named "Safe Alternatives for Enrichment and the Summer Playground Program." This position reports to the recreation director. Duties include, but are not limited to: supervising staff; directing activities; coordinating workshops; tracking payments; planning special events; providing programming; and performing additional tasks as assigned by the recreation director.

#### **2.4.4.5 Program Coordinator.**

This position is responsible for implementing, coordinating and supervising the Town's sports programs for all ages and adventure-based programming on a year-round basis and involvement in managing sports programs including supervising of up to one hundred (100) volunteer coaches. This position will have a flexible workweek with some weekend or evening hours expected during the winter months. The individual will generally work five days a week, forty (40) hours, with different days off, depending upon programming. This position reports to the recreation director.

#### **2.4.4.6 Recreation Supervisor**

This position is responsible for implementing, coordinating and supervising the town's marketing and public relations, including recruiting centers related to Kittery Recreation and Kittery Community Center. This position acts as the safety and training coordinator and instructs and documents all of the annual training for all staff. The Recreation Supervisor will be certified as an instructor for first aid, CPR and AED. Supervises the State

licensed daycare center, and Safe Alternatives for Enrichment Program (SAFE) all year and its personnel. Responsibilities include coordination of a volunteer program and Over 55 programming. This position reports to the Recreation Director.

#### **2.4.4.7 Early Childcare Supervisor/Head Teacher**

The purpose of this position is to plan, organize, implement and coordinate the services of the childcare program for the Kittery Recreation Department. Under general supervisor of the Recreation Director, the Early Childcare Supervisor is the head teacher and operates the childcare program in conformance with institutional regulations and State of Maine day care licensing provisions. Responsibilities include the overall management of the early childhood program and its operation, facilitating, planning and coordinating the children's educational programs and activities for ages 2 – 5 years old. This position supervises the part-time preschool staff.

#### **2.4.4.8 Sports Coordinator**

This position is responsible for implementing, coordinating and general oversight of the Recreation Department's sports programs for all ages including the adventure based programming under the direction of the Assistant Director. Responsibilities include organizing summer sports camps, supervising after school open gym, representative to travel sports, and supervising evening and weekend sports programs. This position will be proficient in first aid and CPR. This position reports to the Assistant Director/Assistant General.

#### **2.4.4.9 Head Custodian**

The purpose of this position is to manage the janitorial/cleaning duties of the Kittery Community Center. The person in this position will be responsible for performing varied custodial and light maintenance duties. This position manages all full-time and part-time custodians. The work requires the use of standard tools, general cleaning supplies, minor equipment, snow blower, buffer, and some carpentry tools. This position reports to the Recreation Director/General Manager.

### **Article V. Police**

#### **2.4.5.1 Police Chief.**

The purpose of this position is to supervise, direct, and manage the day-to-day operations of the police department. This position reports to the Town Manager. Duties include, but are not limited to: supervising staff; directing activities; directing investigations; preparing orders; preparing budgets; preparing and approving training programs; and performing additional tasks as assigned by the Town Manager.

#### **2.4.5.2 Lieutenant.**

This is a highly responsible administrative and supervisory position as second in command to the chief of police in the daily operation and management of all law enforcement activities of the police department. This position reports to the chief of police. Duties include, but are not limited to: supervising staff; directing investigations; preparing orders; preparing budgets; preparing and approving training programs; investigating cases of alleged misconduct by department personnel; and performing additional tasks as assigned by the chief of police.

**2.4.5.3 Administrative Assistant to Chief of Police.**

The purpose of this position is to provide high-level administrative and secretarial support to the police chief and the police department of the Town. This position reports to the chief of police. Duties include, but are not limited to: preparing payroll; typing/transcribing letters and memos; preparing permits; assisting in budget preparation; providing record checks; training and supervision of clerical staff and performing additional tasks as assigned by the police chief. Work is of a highly confidential nature and is normally carried out with limited, or no supervision in a fast-paced environment.

**2.4.5.4 Sergeant.**

The purpose of this position is to supervise, direct, and manage the day-to-day operations of an assigned shift for the police department. This position reports to the police chief. Duties include, but are not limited to: supervising staff; directing activities; apprehending criminals; conducting roll call; disseminating information; evaluating medical emergencies; and performing additional tasks as assigned by the police chief.

**2.4.5.5 School Resource Officer.**

The purpose of this position is to provide law enforcement support within the school system to build positive relationships between students, faculty, and the police while enforcing the laws promoting a safe and drug free environment. Primary emphasis is working with students grade 5 – 12. The School Resource Officer will serve as a resource throughout the school system and will be required to perform the functions to enforcement officer, educator, and counselor while becoming an integral member of the school community. This position reports to the Chief of Police or his designee.

**2.4.5.6 Court Officer.**

The primary purpose of this position is to work as the liaison between the Police Department and the Court System, as well as coordinate training and assist in policy development. This position is a part-time position, reporting to the Chief of Police or his designee.

**2.4.5.7 Detective.**

The purpose of this position is to conduct and coordinate all criminal investigations for the police department. This position reports to the chief of police. Duties include, but are not limited to: directing activities; reviewing logs; completing paperwork; preparing cases; and performing additional tasks as assigned by the police chief.

**2.4.5.8 Juvenile Officer.**

The purpose of this position is to conduct investigations involving juvenile offenders and allegations of child abuse and neglect and to the extent case loads permit, to conduct investigations involving adult offenders and to conduct follow-up investigations as assigned by the detective sergeant for the police department. This position reports to the detective sergeant. Duties include, but are not limited to: receiving and reviewing reports; researching information; processing crime scenes; preparing reports; testifying in court; and performing additional tasks as assigned by the detective.

#### **2.4.5.9 Animal Control Officer.**

The purpose of this position is to enforce all laws relating to dogs, cats, other pets, and nuisance wild animals for the police department. This position reports to the chief of police. Duties include, but are not limited to: planning programs; educating the general public; locating wild animals; maintaining rabies awareness; enforcing all animal-related laws; and performing additional tasks as assigned by the police chief.

#### **2.4.5.10 Police Officer.**

The purpose of this position is to enforce all criminal, civil, and motor vehicle laws on behalf of the police department. This position reports to the assigned supervisor. Duties include, but are not limited to: patrolling assigned areas; dispersing unruly crowds; preparing paperwork; warning, citing, or arresting violators; and performing additional tasks as assigned.

#### **2.4.5.11 Dispatcher.**

The purpose of this position is to receive, prioritize, and disperse information and calls for service in regard to police, fire, ambulance, or other emergency agencies. This position reports to the assigned supervisor. Duties include, but are not limited to: receiving calls; dispatching appropriate personnel; providing information; maintaining logs; issuing permits; and performing additional tasks as assigned.

#### **2.4.5.12 Dispatcher / Secretary.**

The purpose of this position is to receive, prioritize, and disperse information and calls for service in regard to police, fire, ambulance, or other emergency agencies. Additionally, this position provides secret support to the detective division of the police department. This position reports to the assigned supervisor. Duties include, but are not limited to: receiving calls; dispatching appropriate personnel; providing information; maintaining logs; issuing permits; typing reports; preparing various documents; transcribing tapes; processing and maintaining files; and performing additional tasks as assigned.

#### **2.4.5.13 Shellfish Conservation Warden.**

The purpose of this position is to patrol the clam flats as required to ensure compliance with Kittery's shellfish conservation ordinance, and all applicable marine resource laws and regulations. This position reports to the chief of police. Duties include, but are not limited to: patrolling the town's clam flats; educating the general public; maintaining a log of all activities, and submitting reports as required by state laws and regulations.

### **Article VI. Sewer Department**

#### **2.4.6.1 Superintendent of Sewer Services.**

The purpose of this position is to direct, manage, and supervise all day-to-day activities in regard to the publicly-owned wastewater collection, treatment, and disposal facilities for the Town. This position reports to the Town Manager. Duties include, but are not limited to: supervising staff; directing activities; directing maintenance; administering fees; overseeing the wastewater treatment process; and performing additional tasks as assigned by the Town Manager.

#### **2.4.6.2 Utility Billing Bookkeeper / Assistant Tax Collector.**

The purpose of this position is to provide bookkeeping and administrative support to the sewer and administration departments of the Town . This position reports to the deputy treasurer/tax collector. Duties include, but are not limited to: posting transactions; maintaining records; processing notices; preparing receipts; assisting the public; and performing additional tasks as assigned by the deputy treasurer or treasurer.

#### **2.4.6.3 Operator-Class I.**

The purpose of this position is to perform a variety of services necessary in the maintenance of pump stations and treatment plants. This position reports to the superintendent and/or the chief plant operator. Duties include, but are not limited to: maintaining pumps; maintaining sewer lines; dewatering sludge; performing inspections; providing general trades assistance; and performing additional tasks as assigned by the superintendent.

#### **2.4.6.4 Operator-Class II.**

The purpose of this position is to perform a variety of services necessary in the maintenance of pump stations and treatment plants. This position reports to the superintendent and/or the chief plant operator. Duties include, but are not limited to: maintaining pumps; maintaining sewer lines; dewatering sludge; performing inspections; preparing samples; and performing additional tasks as assigned by the superintendent.

#### **2.4.6.5 Chief Plant Operator.**

The purpose of this position is that of a responsible working foreman to oversee and participate in the operation and maintenance of the wastewater treatment facility, pumping stations, and collection system for the Town. This position reports to the superintendent. Duties include, but are not limited to: overseeing operations; maintaining supplies; reviewing reports; investigating complaints; performing inspections; and performing additional tasks as assigned by the superintendent.

#### **2.4.6.6 Laboratory Technician Level I or II.**

The purpose of this position is to provide technical services in regard to all state and federally-mandated analyses for the Town. This position reports to the superintendent and/or the chief plant operator. Duties include, but are not limited to: performing analyses; analyzing results; preparing reports; training personnel; performing inventory control; and performing additional tasks as assigned by the superintendent.

#### **2.4.6.7 Maintenance Worker.**

The purpose of this position is to perform a variety of services necessary in the maintenance of equipment and vehicles for the sewer department. This position reports to the superintendent and/or the chief plant operator. Duties include, but are not limited to: performing maintenance on pumps, blowers, engines and other equipment; preparing samples; operating heavy equipment; preparing flow charts; and performing additional tasks as assigned by the superintendent.

## **Article VII. Public Works**

### **2.4.7.1 Commissioner.**

The purpose of this position is to direct, manage, and supervise all day-to-day activities of the public works department for the Town. This position reports to the Town Manager. Duties include, but are not limited to: supervising staff; directing activities; preparing and submitting reports; preparing, planning, scheduling, and inspecting work; attending meetings; and performing additional tasks as assigned by the Town Manager.

### **2.4.7.2 Administrative Assistant.**

The purpose of this position is to provide administrative support, manage tasks and coordinate all office functions for the commissioner of the public works department and for the divisions. This position reports to the commissioner.

### **2.4.7.3 Foreman.**

The purpose of this position is to assist the commissioner in the planning, organizing, and coordinating of the day-to-day operations within the public works department. This position reports to the commissioner. Duties include, but are not limited to: supervising staff and all day-to-day activities; checking roads for winter driving conditions; approving scheduling; initiating purchase orders; and performing additional tasks as assigned by the commissioner.

### **2.4.7.4 Driver / Laborer II.**

The purpose of this position is to oversee and participate in the maintenance of roads, parks and highways for the public works department of the Town. This position reports to the commissioner and/or the foreman. Duties include, but are not limited to: repairing roads and potholes; maintaining road signs; hauling loads; cutting trees; raking leaves; plowing and snow removal; trimming trees; installing sidewalks; maintaining cemeteries; installing drainage pipes; and performing additional tasks as assigned by the commissioner/foreman.

### **2.4.7.5 Reserved**

### **2.4.7.6 Mechanic / Operator.**

Purpose of Position. The purpose of this position is to diagnose, repair, and replace mechanical, electrical, hydraulic, and pneumatic parts and components in gasoline and/or diesel powered heavy construction and maintenance vehicles and other equipment. This position reports to the Commissioner or designee. Duties include, but are not limited to: diagnosing malfunctions; maintaining records; and performing additional tasks as assigned for Highway, Kittery Resource Recovery Facility and Parks Departments.

### **2.4.7.7 Equipment Operator.**

The purpose of this position is to operate equipment and provide general laboring for the public works department. This position reports to the commissioner and/or foreman. Duties include, but are not limited to: operating front-end loaders, back hoes, street sweepers, balers, compactors,



and other light equipment; removing snow; cleaning trucks; maintaining equipment; picking up rubbish; and performing additional tasks as assigned by the commissioner or foreman.

## **Article VIII. Fire Department**

### **2.4.8.1 Fire Chief.**

The purpose of this position is to provide and maintain a well-trained, equipped department enabling the department to protect the lives and property of the citizens of Kittery against fire and other emergency situations. This position reports to the Town Manager. Duties include, but are not limited to: responding to emergency calls; supervising all firefighters; planning and coordinating administrative and technical functions of fire prevention service (including motor vehicles and small water craft); maintaining incident reports, workers' compensation records, maintenance logs and records, and insurance reports; providing for the upkeep of firefighting and rescue equipment; and performing additional tasks as assigned.

### **2.4.8.2 Assistant Chief.**

The purpose of this position is to provide and maintain a well-trained, equipped department enabling the department to protect the lives and property of the citizens of Kittery against fire and other emergency situations in the absence of the chief. This position reports to the Fire Chief. Duties include, but are not limited to: responding to emergency calls; assist the chief in supervising all firefighters; maintaining incident reports, workers' compensation records, maintenance logs and records, and insurance reports; and performing additional tasks as assigned by the chief.

### **2.4.8.3 Deputy Chief.**

The purpose of this position is to assist in providing and maintaining a well-trained, equipped department enabling the department to protect the lives and property of the citizens of Kittery against fire and other emergency situations in the absence of the chief. This position reports to the Fire Chief. Duties include, but are not limited to: assisting the chief in directing and supervising all department operations; responding to emergency calls; supervising all firefighters; maintaining incident reports, workers' compensation records, maintenance logs and records, and insurance reports; providing for the upkeep of firefighting and rescue equipment; and performing additional tasks as assigned by the chief.

### **2.4.8.4 Captain.**

The purpose of this position is to provide on-site leadership to Fire Department personnel; to control emergency situations; and to protect the lives and property of the citizens of Kittery against fire and other emergency situations. This position reports to the deputy chief. Duties include, but are not limited to: assisting the deputy chief; responding to emergency calls; supervising firefighters; maintaining various reports; providing for the maintenance of equipment; and performing additional tasks as assigned.

### **2.4.8.5 Lieutenant.**

The purpose of this position is to provide leadership and overview to fire personnel during an emergency call; to control emergency situations; establish standards for the Fire Department; and perform additional tasks as assigned by the captain. This position reports to the captain.

RECODIFICATION – ORDAINMENT – 07/26/2010

(With amendments ordained 3/28/11; 5/30/12; 6/25/12; 12/10/12; 2/10/14; 10/15/14; 1/9/17; 2/22/17)

## Chapter 2.5 COMPENSATION

<b>Position</b>	<b>Established By</b>
2.4.1.1 Town Manager	Council
2.4.1.2 Town Clerk/Register of Voters	Council
2.4.1.3 Deputy Town Clerk / General Assistance Administrator	Union Contract
2.4.1.4 Assistant Town Clerk	Union Contract
2.4.1.5 Deputy Treasurer	Union Contract
2.4.1.6 Accountant	Union Contract
2.4.1.7 Administrative Clerk	Union Contract
2.4.1.8 Secretary to the Town Manager	Council
2.4.1.9 Finance Director	Council
2.4.1.10 Shoreland/Environmental Resource Officer	Council
2.4.1.11 Harbormaster	Port Authority
2.4.1.12 Human Resources Generalist	Council
2.4.2.1 Planner	Council
2.4.2.2 Development Staff Assistant / Assistant Code Enforcement Officer / Plumbing Inspector	Union Contract
2.4.2.3 Development Staff Clerk	Union Contract
2.4.2.4 Assistant Town Planner	Union Contract
2.4.2.5 Code Enforcement Officer	Union Contract
2.4.2.5.1 Building Official	Council
2.4.2.5.2 Deputy Building Official	Council
2.4.2.6 Building Inspector	Council
2.4.3.1 Assessor	Union Contract
2.4.4.1 Recreation Director/General Manager	Council
2.4.4.2 Secretary / Bookkeeper	Union Contract
2.4.4.3 Assistant Recreation Director/Assistant General Manager	Union Contract
2.4.4.4 Safe Alternatives for Enrichment (S.A.F.E.) Coordinator	Union Contract
2.4.4.5 Program Coordinator	Union Contract
2.4.4.6 Recreation Supervisor	Union Contract
2.4.4.7 Early Childcare Supervisor/Head Teacher	Union Contract
2.4.4.8 Sports Coordinator	Union Contract
2.4.4.9 Head Custodian	Union Contract
2.4.5.1 Police Chief	Council
2.4.5.2 Lieutenant	Council
2.4.5.3 Administrative Assistant to Chief of Police	Council
2.4.5.4 Sergeant	Union Contract
2.4.5.5 School Resource Officer	Union Contract
2.4.5.6 Court Officer	Union Contract
2.4.5.7 Detective	Union Contract

RECODIFICATION – ORDAINMENT – 07/26/2010

(With amendments ordained 3/28/11; 5/30/12; 6/25/12; 12/10/12; 2/10/14; 10/15/14; 1/9/17; 2/22/17)

2.4.5.8	Juvenile Officer	Union Contract
2.4.5.9	Animal Control Officer	Union Contract
2.4.5.10	Police Officer	Union Contract
2.4.5.11	Dispatcher	Union Contract
2.4.5.12	Dispatcher / Secretary	Union Contract
2.4.5.13	Shellfish Conservation Warden	Council
2.4.6.1	Superintendent of Sewer Services	Council
2.4.6.2	Utility Billing Bookkeeper / Assistant Tax Collector	Union Contract
2.4.6.3	Operator-Class I	Union Contract
2.4.6.4	Operator-Class II	Union Contract
2.4.6.5	Chief Plant Operator	Union Contract
2.4.6.6	Laboratory Technician Level I or II	Union Contract
2.4.6.7	Maintenance Worker	Union Contract
2.4.7.1	Commissioner	Council
2.4.7.2	Administrative Assistant	Council
2.4.7.3	Foreman	Union Contract
2.4.7.4	Driver / Laborer II	Union Contract
2.4.7.5	(Reserved)	
2.4.7.6	Mechanic/Operator	Union Contract
2.4.7.7	Equipment Operator	Union Contract
2.4.8.1	Fire Chief	Council
2.4.8.2	Assistant Chief	Council
2.4.8.3	Deputy Chief	Council
2.4.8.4	Captain	Council
2.4.8.5	Lieutenant	Council